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City Attorney  
**Mike Feuer**

August 20, 2015

**VIA FOIA ONLINE**

Regional Freedom of Information Officer  
U.S. EPA, Region 7  
901 N. 5th Street  
Kansas City, KS 66101  
(913) 551-7003

RE: FREEDOM OF INFORMATION ACT REQUEST

To Whom It May Concern,

Pursuant to the Freedom of Information Act, the Criminal Branch of the Los Angeles City Attorney's office ("City Attorney") requests information relating to a 2010 Consent Decree entered by the United States of America, on behalf of the Environmental Protection Agency (the "EPA"), against Plains All American Pipeline L.P. and several of its operating subsidiaries (collectively, "Plains").

On September 21, 2010, the United States District Court of the Southern District of Texas approved a Consent Decree in *United States v. Plains All American Pipeline, L.P., et al.*, Case No. 4:10-cv-2833 (S.D. TX 2010) (DOJ case number: 90-5-1-1-08698a). The Consent Decree required Plains to, *inter alia*, perform injunctive relief on approximately 10,000 miles of crude oil pipeline to: (1) Prevent and mitigate the effects of pipeline corrosion, (2) improve pipeline operation and integrity management practices, and (3) enhance leak detection capabilities and practices. Plains also had to submit semi-annual reports about its implementation of the Consent Decree's compliance requirements to, *inter alia*, EPA Region 7, attention Ward Burns of the Air Permitting and Compliance Branch. On August 2, 2013, Plains requested to terminate the Consent Decree ("Request for Termination"). After deliberations amongst the parties to the Consent Decree about Plains' compliance, the United States filed a joint stipulation agreeing to terminate the Consent Decree. On November 26, 2013, the Court granted the stipulation and ordered the Consent Decree terminated.

The City Attorney requests the following categories of documents and communications relating to the Consent Decree, Plains' compliance thereunder, and its termination:

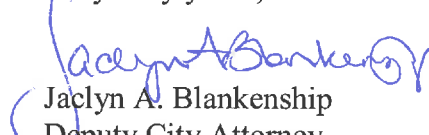
- All semi-annual reports and supporting documentation submitted by Plains to EPA Region 7 pursuant to Section VI of the Consent Decree;

- Any documents or communications (electronic, telephonic, or written) between EPA Region 7 and the United States Attorney's Office, ENRD, EPA Region 6, or Plains relating to any semi-annual report or supporting documentation submitted by Plains pursuant to the Consent Decree;
- All documents and communications relating to Plains' implementation of the compliance measures required under Section V of the Consent Decree; and
- All documents, correspondence, and communications relating to Plains' Request for Termination, including, but not limited to, any analysis, summary, or opinion relating to Plains' completion of the compliance requirements listed in Section V of the Consent Decree.

The City Attorney requests a fee waiver for any research or duplication fees incurred responding to this FOIA request. In light of two recent oil spills from Plains' operated pipelines—one in Los Angeles and one in Santa Barbara—the City Attorney seeks this requested information to aid in a law enforcement investigation of Plains' legal compliance with state and federal hazardous liquid pipeline regulations. The City Attorney also seeks this information in order to communicate to the public about Plains' enhanced integrity management plans and the conditions of Plains' hazardous liquid pipelines that run throughout the City of Los Angeles. Because this request serves law enforcement and public education aims, and has no commercial interest, the City Attorney believes a waiver of any research or duplication fees is appropriate. Nonetheless, this letter authorizes an expenditure up to \$100 for copying/production costs if necessary. Please contact the undersigned in the event production costs exceed this amount.

If we can provide any clarification that will help expedite your attention to this request, please feel free to contact us at your convenience.

Very truly yours,

  
Jaclyn A. Blankenship  
Deputy City Attorney  
City of Los Angeles  
(213) 473-6902